

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID CARL PHELPS,	)	8:14CV151
	)	
Petitioner,	)	
	)	MEMORANDUM
v.	)	AND ORDER
	)	
MARIO PEART, Warden,	)	
	)	
Respondent.	)	
_____	)	

This matter is before the court *sua sponte*. Respondent has been granted two extensions of time to reply to Petitioner's brief in support of his petition for writ of habeas corpus. The most recent extension expired on June 3, 2016, but to date no reply has been filed. On its own motion, the court will allow Respondent a final extension of time, until August 4, 2016, to file a reply.

Accordingly,

IT IS ORDERED that Respondent shall have until the close of business on August 4, 2016, to reply to Petitioner's brief (Filing No. [35](#)). This matter will be taken under submission by the court immediately upon the filing of a reply or August 5, 2016, whichever occurs first.

DATED this 26<sup>th</sup> day of July, 2016.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge